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September 17, 2001

HAND DELIVERY

Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

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SEP 17 2001

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Notice of Ex Parte Presentation  
Revision of the Commission's Rules to Ensure Compatibility  
with Enhanced 911 Emergency Calling Systems

CC Docket No. 94-102 /

Dear Ms. Salas:

Today AT&T Wireless Services, Inc. sent the attached letter to Thomas Sugrue, Chief of the Wireless Telecommunications Bureau. Pursuant to section 1.1206(b)(1) of the Commission's rules, two copies of the attached letter are being filed with the Office of the Secretary. Copies are also being served on the Commission personnel listed below.

Respectfully submitted,

*Michelle M. Mundt*

Michelle M. Mundt

cc: Thomas Sugrue  
James Schlichting  
Kris Monteith  
Blaise Scinto  
Jennifer Tomchin  
Dan Grosh  
Pat Forster  
Martin Liebman  
Harry Wong  
Robert Eckert

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September 17, 2001

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William Lane  
Peter Tenhula  
Bryan Tramont  
Paul Margie  
Monica Desai

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**Douglas I. Brandon**  
Vice President -  
External Affairs & Law

September 17, 2001

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HAND DELIVERY

Mr. Thomas Sugrue  
Chief, Wireless Telecommunications Bureau  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

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SEP 17 2001

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**Re: Ex Parte Presentation**

**Revision of the Commission's Rules to Ensure Compatibility with  
Enhanced 911 Emergency Calling Systems**

**CC Docket No. 94-102**

Dear Mr. Sugrue:

Over five months ago, AT&T Wireless Services Inc. ("AWS") filed a request for a waiver in order to use Mobile-Assisted Network Location System ("MNLS") as the Phase II E911 solution for its TDMA network.<sup>1/</sup> Despite years of research and testing, AWS was unable to identify any commercially available solution for its TDMA network that would satisfy the Commission's accuracy and timing requirements for Phase II. AWS therefore proposed to use MNLS in order to provide ubiquitous, robust, and reliable Phase II service to its customers as quickly as possible. AWS continues to believe that MNLS is by far the best Phase II solution for its TDMA customers.

The public safety community, however, has repeatedly expressed concerns about the accuracy of MNLS.<sup>2/</sup> Despite the substantial evidence AWS has submitted regarding the benefits of MNLS, the public safety community remains opposed to its use. Because

<sup>1/</sup> AT&T Wireless Services Inc. Request for Waiver of the E911 Phase II Location Technology Implementation Rules, CC Docket No. 94-102 (filed April 4, 2001) ("AWS Waiver Petition").

<sup>2/</sup> See, e.g., Comments of APCO and NENA, CC Docket 94-102 (filed May 7, 2001); Further Comments of APCO, NENA, and NASNA, CC Docket No. 94-102 (filed July 24, 2001); Ex Parte Comments of APCO, NENA, and NASNA, CC Docket No. 94-102, DA 01-894 (filed Sept. 4, 2001).





AWS does not believe that its efforts to provide E911 service to the public can succeed without the support of the public safety community, it is pursuing an alternative TDMA solution.

Specifically, AWS is engaged in contractual discussions with TruePosition and Grayson Wireless regarding the use of their network overlay technologies in AWS's TDMA network. As a result of these discussions, AWS believes that it will be able to secure a contractual commitment from either TruePosition or Grayson within 30 days of the date of this letter. Both TruePosition and Grayson have represented to AWS that the current versions of their location solutions will meet the FCC's accuracy requirements if deployed on AWS's TDMA network. Both TruePosition and Grayson further represent that they have the resources available to install their solutions in those TDMA markets where AWS currently has valid PSAP requests for Phase II E911 service. AWS believes the total number of cell sites located in jurisdictions where it has current, valid PSAP requests is approximately 1,600. Accordingly, TruePosition's or Grayson's contractual commitment would require it to install its solution in 1,600 TDMA cell sites, beginning no later than November 1, 2001 and ending no later than December 31, 2002. After 2002, AWS expects to be able to deploy Phase II technology within six months of a valid PSAP request.

AWS therefore seeks permission to deploy either TruePosition's or Grayson's solution in its markets that utilize the TDMA air interface according to this deployment schedule. The TDMA solution proffered here is in lieu of MNLS and supersedes AWS's MNLS proposal set forth in its waiver request and amplified in its August 6, 2001 letter to you.<sup>3/</sup> In markets that utilize a combination of air interfaces other than TDMA or TDMA/AMPS (such as TDMA/GSM or TDMA/AMPS/GSM), AWS plans to deploy either TruePosition's or Grayson's network overlay solution, or another solution that complies with the Commission's rules or for which AWS has previously obtained a waiver. AWS intends to cooperate with Commission staff and the public safety community, through its leadership organizations NENA, APCO and NASNA, to communicate and seek input on its plans to deploy a network overlay solution in those jurisdictions with current, valid Phase II requests. To the degree that any prioritization of those requests is required, AWS will work with its public safety partners on such efforts.

AWS notes that in its previous trials, both TruePosition's and Grayson's technologies failed to meet the Commission's accuracy requirements for network-based

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<sup>3/</sup> See Letter from Douglas I Brandon, Vice President - External Affairs and Law, AT&T Wireless, to Mr. Thomas Sugrue, Chief, Wireless Telecommunications Bureau (Aug. 6, 2001). Nothing in this letter amends or supersedes the proposal set forth in AWS's waiver request regarding use of the E-OTD solution for its GSM network.



technologies.<sup>4/</sup> We also reiterate that the deployment of any network overlay solution is likely to be subject to the construction and zoning delays associated with the addition of any new RF equipment to a wireless network.<sup>5/</sup> Grayson's and TruePosition's representations -- that they will contractually commit to installing their solutions in those TDMA markets where AWS currently has valid PSAP requests for Phase II E911 service by December 31, 2002 -- address these concerns. However, we emphasize that AWS's decision to utilize either network overlay technology would be based solely on the vendor's guarantee that the current version of its technology will satisfy the Commission's accuracy requirements and that the vendor can deploy it in accordance with the schedule described above.

AWS reiterates its commitment to work with the Commission and the public safety community to ensure the timely deployment of reliable Phase II E911 service. Given the current state of Phase II technologies, we believe the proposal described in this letter advances that goal and satisfies the rigorous standard for a limited waiver of the Commission's Phase II rules. AWS therefore seeks Commission authorization to follow the deployment schedule set forth above.

Pursuant to section 1.1206(b)(1) of the Commission's rules, two copies of this letter are being filed with the Office of the Secretary. Copies of the letter are also being served on the Commission personnel listed below.

Sincerely,

A handwritten signature in cursive script that reads "Douglas I. Brandon /mm".

Douglas I. Brandon

cc: Magalie Roman Salas  
James Schlichting  
Kris Monteith  
Blaise Scinto  
Jennifer Tomchin  
Dan Grosh  
Pat Forster  
Martin Liebman  
Harry Wong  
Robert Eckert

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<sup>4/</sup> AWS Waiver Petition at 8-9 and Exhibits C, D, and E (partially unredacted version released in Memorandum from Wireless Telecommunications Bureau Policy Division to Magalie Roman Salas (May 31, 2001)).

<sup>5/</sup> Id. at 9-10, 12-13.



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